

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, August 17, 2016, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey, Councilwoman Mary Ann Degn, Councilmen Gary Bates, Carl Leatham, and Perry Maughan. City Manager/Recorder Don Hartle was also present. A copy of the Notice and Agenda was mailed to the Mayor and Council members and emailed and faxed to the Herald Journal on August 12, 2016. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

<u>Others Present:</u>	Jennifer Leishman	Scot Weaver	Dustin Parkinson
	Kent Parkinson	Daniel Isom	Clay Isom
	Myles Andrus	Audrey Andrus	Zan Murray
	Chris Breinholt	Jeremy Woodward	DeVon Parkinson
	Melissa Simmons	Sgt. Troy Liquin	Derek Maughan
	Scott Gary	Jonathan Cook	Denise Lindsey

Opening Ceremony: Gary Bates

Councilwoman Karen Higley was excused from this meeting.

The Council reviewed the agenda. Gary Bates added Myles Andrus, Eagle Scout project. Perry Maughan made a motion, seconded by Gary Bates, to approve the agenda with the change.

<u>YEA 4</u>	<u>NAY 0</u>
Gary Bates	
Mary Ann Degn	
Carl Leatham	
Perry Maughan	

The Council reviewed the minutes of the July 20, 2016 regular City Council meeting. Gary Bates made a motion, seconded by Mary Ann Degn, to approve the minutes of the July 20, 2016 regular City Council meeting as presented.

<u>YEA 4</u>	<u>NAY 0</u>
Gary Bates	
Mary Ann Degn	
Carl Leatham	
Perry Maughan	

The Council reviewed the minutes of the August 3, 2016 regular City Council meeting. Gary Bates made a motion, seconded by Carl Leatham, to approve the minutes of the August 3, 2016 regular City Council meeting as presented.

<u>YEA 4</u>	<u>NAY 0</u>
Gary Bates	
Mary Ann Degn	
Carl Leatham	
Perry Maughan	

Payroll is approved through the budget, therefore, the checks approved in the City Council minutes aren't in numerical order from City Council meeting to City Council meeting as the City uses the same checking account for payroll and accounts payable. After review and discussion, Carl Leatham made a motion, seconded by Gary Bates, to approve the City's account payables bills for payment, represented by check number 19780 through 19839.

<u>YEA 4</u>	<u>NAY 0</u>
Gary Bates	
Mary Ann Degn	
Carl Leatham	
Perry Maughan	

There was no one in attendance for citizen input.

Scot Weaver met with the City Council for a business license. Mr. Weaver stated that he would like a business license to operate a photography business from his home. Carl Leatham stated that the Planning Commission asked several questions. The photography is of landscapes. This business will consist of online sales. Mr. Leatham stated that the Planning Commission approved the conditional use permit with no restriction. After discussion, Carl Leatham made a motion, seconded by Mary Ann Degn, to approve the business license for Scot Weaver.

YEA 4

Gary Bates
Mary Ann Degn
Carl Leatham
Perry Maughan

NAY 0

Dustin Parkinson met with the City Council to discuss an Eagle Scout project. Mr. Parkinson stated that he would like to sand and paint the picnic tables at the Wellsville City pavilion. Mr. Parkinson stated that Bennett's Paint in Logan has donated the paint, and is requesting Wellsville City pay for the paintbrushes, rollers, and sandpaper. Gary Bates stated that this is a project that needs to be completed every few years. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to approve the Eagle Scout project for Dustin Parkinson, and that Wellsville City will pay up to \$50 for painting supplies.

YEA 4

Gary Bates
Mary Ann Degn
Carl Leatham
Perry Maughan

NAY 0

Daniel Isom met with the City Council to discuss an Eagle Scout project. Mr. Isom stated that he would like to freshen up the storage building located at the cemetery. Mr. Isom stated that he would like the building to look nice for when citizens and others visit the cemetery. Mr. Isom stated that he would seal the concrete blocks, paint the doors, and paint the soffit and fascia. Gary Bates asked if Mr. Isom had any estimates. Mr. Isom stated yes. Mr. Isom handed out estimates to the City Council. Mr. Bates asked if Mr. Isom had found any donations. Mr. Isom stated that he would try to find donations this week. Mr. Bates stated that Wellsville City will split the cost of the project with Mr. Isom, and encouraged Mr. Isom to find donations for this project. Mary Ann Degn asked if Mr. Isom had a timeframe. Mr. Isom stated that he would like to start this project next week. After discussion, Gary Bates made a motion, seconded by Perry Maughan, to approve the Eagle Scout project for Daniel Isom, and that Wellsville City will pay up to half of the cost of the project.

YEA 4

Gary Bates
Mary Ann Degn
Carl Leatham
Perry Maughan

NAY 0

Myles Andrus met with the City Council concerning his approved Eagle Scout project. Mr. Andrus stated that his project has been approved. Mr. Andrus is laying down wood chips on a trail by Wellsville Dam, and also building a picnic table. Mr. Andrus stated that he was able to get the wood chips donated. Mr. Andrus stated that Burton Lumber is giving a discount on the lumber to construct the picnic table. Mr. Andrus asked Wellsville City to pay \$121 for the lumber for the picnic table. Gary Bates asked if Mr. Andrus plans to seal the picnic table. Mr. Andrus stated that he would be using pressure-treated lumber for the picnic table. After discussion, Gary Bates made a motion, seconded by Carl Leatham to approve \$121 for lumber for a picnic table to be constructed at approximately 50 East 400 North.

YEA 4

NAY 0

Gary Bates
Mary Ann Degn
Carl Leatham
Perry Maughan

The City Council reviewed for approval the Preliminary Plat for the Parkinson Acres Subdivision consisting of a total of 3 lots on property on the west side of 200 East from 1135 South to approximately 1249 South. Carl Leatham stated that the Planning Commission approved the Preliminary Plat for the Parkinson Acres Subdivision last week. There was some discussion concerning the fire hydrants and water line. Mr. Leatham stated that Jeremy Woodward is aware that they will have to bore under the road for water where needed. Mr. Leatham stated that all of the previous comments from City Engineer Chris Breinholt have been addressed. After discussion Carl Leatham made a motion, seconded by Mary Ann Degn, to approve the Preliminary Plat for the Parkinson Acres Subdivision consisting of a total of 3 lots on property on the west side of 200 East from 1135 South to approximately 1249 South.

YEA 4

NAY 0

Gary Bates
Mary Ann Degn
Carl Leatham
Perry Maughan

Melissa Simmons met with the City Council to continue discussing an October charity 5k run. Ms. Simmons stated that she looked into liability insurance. The cost is \$150 for \$1,000,000 coverage if someone is sued. The cost for medical coverage is \$425. Gary Bates stated that he feels comfortable with the liability insurance. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to support this October charity 5k run, schedule a time through the front office, no charge for renting the facilities, carry liability coverage insurance, and to coordinate port-a-potties.

YEA 4

NAY 0

Gary Bates
Mary Ann Degn
Carl Leatham
Perry Maughan

The City Council opened bids for the purpose of awarding a contract for the 2016 asphalt work. This asphalt is for the driveway between the fire station and the old post office. The asphalt on the road will be 3 inches, and the driveway will be 4 inches. Wellsville City received two bids. They are as follows:

Staker Parson	693 ton	3" - \$62.50	4" - \$87.50	Total: \$46,112.50
Johnson's	708 ton	\$76 per ton		Total: \$53,808.00

After discussion, Perry Maughan made a motion, seconded by Mary Ann Degn, to accept the bid of Staker Parson for the 2016 asphalt work for a total of \$46,112.50

YEA 4

NAY 0

Gary Bates
Mary Ann Degn
Carl Leatham
Perry Maughan

At 6:30 p.m., conduct the following two public hearings in the order below:

Presentation by J-U-B Engineering on the updated Storm Water Management Plan, then receive public input, then consider for approval. Zan Murray stated that the last document was prepared in 2010. The following Minimum Control Measure areas in the SWMP have had some modifications with the new

permit. The changes are listed below:

Public Education and Outreach

- Review the Effectiveness of the Public Education approach used in the City and revise as needed.

Public Involvement

- Notice and allow the public to comment on the SWMP updates.

Illicit Discharge

- Update ordinance and adopt changes.
- Train employees immediately upon hire

Construction

- Document Water quality efforts on each development project.
- Place a sign with the Storm Water Hotline number at each permitted construction site.

Post Construction

- Update Ordinance to include new design requirements including Low Impact Development (LID)
- Development review documentation on determining which Best Management Practices to implement in a project to reduce water quality issues.
- Incorporate LID into all development projects.
- Retain the 90% storm in detention ponds to settle out storm water contaminants.

Pollution Prevention and Good Housekeeping

- Create a Storm Water Pollution Prevention Plan for each “high priority” city owned facility
- Train Employees immediately.

Overall Reminders

Documentation is the key to implementing this program to meet the state requirements. All decisions should be justified and meeting minutes recorded and kept for 5 years to meet the requirements of the permit. The biggest issue that the State has had as they have audited cities who have this permit is a lack of documentation.

Another important factor is regular training and reminders to staff on the storm water program. We are offering bi-monthly specific trainings to local communities to help them integrate their projects. It is meant to be about an hour every other month with a focus on each of the Minimum Control Measures. These trainings will be recorded for the use of new hires when they begin work.

Lastly, remember to review your measurable goals regularly. They are the heart of the program and have deadlines and requirements associate with them. Meeting those goals will go a long way when it comes to an audit by the State.

At 6:56 p.m., the public hearing was closed.

After discussion, Perry Maughan made a motion, seconded by Gary Bates, to approve the updated Storm Water Management Plan, and in a future City Council meeting, discuss and appoint someone to discuss with other cities how they handle documentation and explore the possibility of cities sharing an employee for this project.

YEA 4

NAY 0

Gary Bates
Mary Ann Degn
Carl Leatham
Perry Maughan

At 7:00 p.m., review required changes to the storm water code to comply with new state storm water regulations, then receive public input on said required changes. Zan Murray reviewed the changes to the storm water code. There was no public input.

At 7:08 p.m., the public hearing was closed.

After discussion, Gary Bates made a motion, seconded by Carl Leatham, to approve the required changes to the storm water code to comply with new state storm water regulations.

YEA 4

NAY 0

Gary Bates
Mary Ann Degn
Carl Leatham
Perry Maughan

Deputy Troy Liquin introduced Wellsville City's new star deputy, Deputy Derek Maughan. Deputy Linquin discussed the placement of one-way signs along 200 West.

The City Council continued discussion on a code for motorcycles and ATV's on the City streets. Gary Bates stated that he has received several complaints concerning dirt bikes on City streets. Mr. Bates stated that he has reviewed other cities' ordinances. Mr. Bates stated that Wellsville City should adopt an ordinance so that there is something in place for the Cache County Sheriff's Office to enforce. Mr. Bates stated that children 8 years old to 15 years old need to wear a helmet, supervision of an adult, and limit speed. Mr. Bates stated that the older teens/young adults with dirt bikes need to obey the speed limit and have lights in order to drive at night. Mr. Bates stated that the code should also address noise issues. Mr. Bates stated that this code is for non-registered ATV/motorcycles on City streets. Sgt. Troy Liquin explained to the City Council the difference between a class 2 OHV and a Class 1 recreation sticker. Mr. Bates stated that the ordinance would be silent on class 2 OHV, and state Class 1 allowances. There are a lot of ATV's and dirt bikes. Mr. Bates asked if OHV includes dirt bikes. Sgt. Liquin stated yes. Mr. Bates asked if this code would be better or worse for law enforcement. Sgt. Liquin stated that there are rules and stipulations, but a City ordinance would help law enforcement. Mr. Bates stated that this ordinance would require that 8 to 16 year olds would be required to have a permit allowing them to drive an ATV. Sgt. Liquin stated that the permit is a state requirement. Mr. Bates suggested that the Cache County Sheriff's Office review the ordinance. Sgt. Liquin stated that he will hand this ordinance off to Deputy Black, and will return with suggestions to the City Council. Mr. Bates suggested that this be added to a future City Council agenda. Mr. Bates asked that Sgt. Liquin or Deputy Black contact Don Hartle to be added to the agenda. After discussion, Gary Bates made a motion, seconded by Perry Maughan, to continue this discussion at a future City Council meeting.

YEA 4

NAY 0

Gary Bates
Mary Ann Degn
Carl Leatham
Perry Maughan

The City Council opened bids for the purpose of approving a lease of the open space in the Mount Sterling Estates Subdivision between Aspen Way and Highway 89/91. Don Hartle stated that Wellsville City received two bids. The term of the lease is for 7 years. They are as follows:

Brett LaMont	\$40/year
Tom Maughan	\$125/year

After discussion, Gary Bates made a motion, seconded by Perry Maughan, to accept the bid to lease the open space in the Mount Sterling Estates Subdivision between Aspen Way and Highway 89/91 from Tom Maughan for \$125 per year for 7 years.

YEA 4

NAY 0

Gary Bates
Mary Ann Degn
Carl Leatham
Perry Maughan

The City Council reviewed and discussed for approval the Interlocal Agreement for library services with Hyrum City. Mary Ann Degn stated that she spoke with Diane from Hyrum Library. Ms. Degn stated that Diane told her that she checks the list each January. If a patron has not used the library account for 1 ½ years, the account is given a status of inactive. If a patron has not used the library account for 5 years, they are deleted. Gary Bates asked if Wellsville City pays for the patron for the full 5 years. Ms. Degn stated yes. Ms. Degn stated that if people move out of Wellsville City, the library tries to catch it. Ms. Degn stated that Diane is willing to give the list of patrons to the City Council to review. Ms. Degn stated that there are a few patrons from Wellsville City that are restricted. Ms. Degn stated that restricted means that they are abusing the system by not returning books. Mr. Bates asked if Wellsville City could ask Hyrum Library for a refund. Don Hartle stated that Hyrum City sends a copy of the residents that have library cards with the annual bill. There is a 1-year lag in the billing system. Carl Leatham suggested in the future asking for a list and having the City Council and staff review it. Mr. Bates suggested watching the amount for next year. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to approve the Interlocal Agreement for library services with Hyrum City.

YEA 4

NAY 0

Gary Bates
Mary Ann Degn
Carl Leatham
Perry Maughan

Department Reports:

Mary Ann Degn – 1) Thanked everyone for covering her duties for the past 2 weeks.

2) Bid for Federal funding for the sidewalks – because of her situation – asked if it would be possible to hold off for one year – City Council agrees.

Mayor Thomas G. Bailey – 1) Thanked Mary Ann Degn for all of her work on this project. Thanked Perry Maughan and Tom Maughan for installing all of the sign.

Councilwoman Mary Ann Degn left the meeting at 7:52 p.m.

The City Council considered for adoption a resolution adopting the 2016 Pre-Disaster Mitigation Plan, Bear River Region, Utah. Don Hartle stated that this was adopted in 2009, and it is basically the same plan with updates to some of the material. Perry Maughan stated that it has worked out great, and stated that Don Hartle has done a fine job with it. After discussion, Perry Maughan made a motion, seconded by Gary Bates to adopt the 2016 Pre-Disaster Mitigation Plan, Bear River Region, Utah.

YEA 3

NAY 0

Gary Bates
Carl Leatham
Perry Maughan

The City Council continued consideration for possible approval various aspects of the proposed public works facilities at approximately 350 West 200 South. Perry Maughan stated that the committee appointed by Mayor Thomas G. Bailey has met. Mr. Maughan stated that Mayor Bailey has done a fine job of picking

the committee and negotiating with Raymond Construction. Mr. Maughan stated that the salt building will be started as soon as possible. Mr. Maughan stated that Dave Leishman can do most of the earthwork, and has volunteered to help with it after hours. Mr. Maughan stated that the committee discussed cutting the size of the building down, but after the discussion, it was decided to keep the building the same size. Mr. Maughan stated that the committee will meet again once the plan is drawn. Mayor Thomas G. Bailey stated that the bid from Raymond Construction came in at \$924,000. Mayor Bailey stated that they have negotiated the price down to a little less than \$900,000. Don Hartle stated that in the current year's budget, there was \$170,000 for a new dump truck. Mr. Hartle stated that if the Public Works department wants to forego the dump truck, there is \$100,000 additional to put towards the Public Works facilities. Mr. Hartle stated that after discussing this issue with the public works department, they felt that they could forego the dump truck for another year. Mayor Bailey stated that with the extra \$100,000, he feels that this project could be started and completed. Gary Bates asked if Wellsville City has picked Raymond Construction as the contractor. Mayor Bailey stated that Wellsville City is still in negotiations with them. Mayor Bailey and the City Council discussed the bids from all of the contractors. After discussion, Perry Maughan made a motion, seconded by Gary Bates, to accept Raymond Construction as the contractor for the Public Works facilities, and authorize Mayor Thomas G. Bailey, the City Council, and the committee to negotiate the price.

YEA 3

Gary Bates
Carl Leatham
Perry Maughan

NAY 0

The City Council discussed the procedure the City council will take in hiring a City Manager/Recorder. Mayor Thomas G. Bailey stated that the job closed last Monday. Wellsville City received nine applications. Mayor Bailey recommends that Carl Leatham, Gary Bates, and himself interview all of the applicants, and then return to the City Council with a recommendation. Gary Bates recommended that the committee review the applications, pick two or three, and then discuss it with the staff. Mayor Bailey suggested that the staff write two questions to ask the applicants. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to review all nine applicants, work with City staff on a list of questions, and to come back to the City Council with a recommendation.

YEA 3

Gary Bates
Carl Leatham
Perry Maughan

NAY 0

Department Reports:

Carl Leatham – 1) Public Works facilities – City Planner Jay Nielson addressed open space requirements with the Planning Commission last week. Mr. Nielson gave some very good recommendations to the Planning Commission.

2) Facebook comments – discussed having Jonathan Cook handle these, discussed having the City Council approve the response, and then post.

Gary Bates – 1) Development – additional infrastructure – have an issue with taxpayers funding new development. Discussed charging a fee, add to a fund to supplement the cost. Discussed adding this issue to a future City Council agenda.

Perry Maughan – 1) Slurry seal is complete.

2) Stated that he was elected by the citizens of Wellsville City. He is tired of people saying that he takes advantage of Wellsville City. He is upset that he has no say in who is hired as the new City Manager.

Councilman Perry Maughan left the meeting at 8:29 p.m.

City Manager/Recorder Report:

Don Hartle – 1) City owns property west of the Pioneer Divide Subdivision – a citizen is asking if Wellsville City is willing to sell the property as surplus property. Mr. Hartle discussed the issue with City Attorney Miles Jensen. Mr. Jensen stated that he would need to do some research. In order to sell surplus real estate, there is a different procedure, and Wellsville City will need to establish a code in order to deal with this issue. The City Council agrees.

2) Insurance Company – to insure the reservoirs, it is almost \$4,500 per year to have them insured. Mr. Hartle questioned if there was any value to having the reservoirs insured. The insurance also covers earthquake damages. Mr. Hartle asked if the City Council agrees to continue insuring the reservoirs. The City Council agrees.

3) Mr. Hartle handed out a letter at the previous City Council meeting. Mr. Hartle asked if anyone had an opinion. Carl Leatham stated that if the damages were caused because of a City problem, then the City should pay for it. Mr. Hartle agreed to pay for the June 16, 2016 damages, but the other dates Mr. Hartle doesn't agree that Wellsville City should pay for them. Mr. Leatham asked if there was a statute of limitations. Mr. Leatham stated that there should be a policy that the damages have to be verified and the bill to be submitted within 3 to 6 months. Gary Bates feels that Wellsville City is opening a can of worms by doing this. The City Council agrees.

4) Handed out a letter from the attorney for the Eastfield Irrigation concerning Sharp Transportation.

At 8:38 p.m., the meeting ended.

Thomas G. Bailey
Mayor

Don Hartle
City Manager/Recorder